G. R. S. IX-5]

Previous references.
Cs. 200-16(1-8)
" 155-17(1-3)

1921
(Cs)

File No. 47-21
Serial Nos. 1-12.

Later references.
Cs 164-24-1
" 100-37(1-2)
" -" (3-4)
Cs. 294-57(1-5)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Twelve

Part B for July 1922

SUBJECT.

Extension of the System of trial by Jury to the districts of Kadur and Tumkur.

8(12) To the Compiler, Leg.

vo. p. 395 of 13.7.22

Notifies that from and after the 1st. day of September 1922, the trial before the Courts of Sessions of the Bellary & Shimoga divisions of certain offences shall in the districts of Tumkur & Kadur be by a jury consisting of 5 persons.

WD 1888—GPB—16,826—23-7-21

Vazeer Hussain
22/7/22.

G.R.S. 111 1921 22

GENERAL AND REVENUE SECRETARIAT

(Courts)

NOTES.

File No. 47-24

FILE HEADING.

Continuance of the system of trial by jury in Sessions cases in Bangalore and Mysore

From

The Registrar, High Court

No. 1262 Dated 16-7-1921 Received 28.7.1921

Diary No. 380 | Enclos. | Spare Copies | Serial No. 1

BRIEF ABSTRACT OF LETTER.

(Copy C ~~Subject~~) With reference to G.O. no. 4, 1963/Cts 233-18-3 dd 26-7-1919 sanctioning the continuance of the system of trial by jury for certain classes of cases in the two Sessions Divisions of Bangalore and Mysore and calling for a report on the working of the system as regards the desirability of its further continuance, states that the system may be continued within the limit of time in the orders of ~~sanction~~ classes of cases not now sanctioned

NOTES AND ORDERS.

Submitted for orders with a draft. This system was sanctioned first in G.O. nos 3996/Cts 200-16-7 dd 8-5-17 for a period of 2 years and then continued for another period of 2 years in G.O. no 4, 1963/Cts 233-18-3 dd 26-7-1919

J.

C

NOTES—First sheet.

GPB—15,000—24-4-09.

G. R. S. III-2]

General and Revenue Secretariat. | Ch File No. 47 of 1924

Serial No.

The Judges recommend that the system may be continued without limit of time in the 2 sessions Divisions for which it was sanctioned

29/7/24 4) A draft G.O. is submitted for approval & other orders.

(3) After the issue of the Magistrates & other districts may kindly be consulted as suggested by the Chief Ch

D.M. 878

Received 2nd Member

D.M. 915

(4) G.O. despatched

(5) Issued D.M. 1018

1096 10.8.24

ISSUE

1) Done

2) Do to Registrar Sch Court No 3838 dt 19.8.1924

Direct that the system of trial by Jurors be continued until further orders in the two sessions Division of Bangalore and Belgaum.

6) Submitted with draft

25/8/24 25/8

7) Issue

25/8/24

NOTE—Contn. sheet.

3801018

General and Revenue Secretariat.

Cts File No. 47 of 1924-25

Serial No.	
3	To The District Magistrate & Sessions Judge Shimoga and Myore No J 1232-4 Dt 30-8-1924 Requests to forward his opinion as to whether the system may be introduced into his District and if so to state the classes of offences for which trial by jury can be held and the number of men to constitute a jury at a time
4	From The Dt Magistrate Chikmagalur Dt Letter no 15 J 3.9.1924 States that his District cannot boast of educated men who can give independent opinion in Criminal cases and that they are often swayed by popular prejudices and party interests and that he is not in favour of introducing the jury system of trial in his District 8) The replies from the other Dt magistrates may be awaited 9) Yes dcs 7/9/24 8) 7/9/24 7/9

NOTE—Contn. sheet.

P.T.O.

G. R. S. III-2.

1195
1372 4

General and Revenue Secretariat. | eb File No. 47 of 1921-22

Serial No.

5 From

The D.C. Magistrate Tumkur Dt

Letter no D2 dis 61 dt 17.9.21

States with reference to Sl: 3, that Competent men to serve as jurors are limited and that the system of trial by jury may be tried as regards offences relating to property only.-

(1) Information from the other Districts, Kolar, Kadur, Hassan & Shimoga have not yet been received. Submitted with a draft reminder

(2) Issue, Sd 21.9.21 21.9.21

Sd 21.9.21 Sd 21.9.21 Item no 16 9 9-902 to 23.9.21

Sd 24.9.21

6 From

The D.C. Magistrate Kadur Dt

Letter no D2 dis 76/21-22 dt 29.9.21

forwards a list and recommends that the system of trial by jury may be brought into effect in the District with regard to the offences noted in the list and states that the number of jurymen may be fixed at seven.-

(2) Replies from Kolar, Shimoga and Hassan are still due. A Reminder has issued on the 23rd September. Their replies may be awaited

(3) Yes. Sd 3.10.21

3.10.21 Sd

Sd

NOTE—Contn. sheet.

1530 1766 5

G. R. S. III-2.

General and Revenue Secretariat. | CS File No. 47 of 1921.

Serial No.

7 From
The Dist Magistrate Hassan.
Letter no C 1805 dt 11.10.21
States that there are not sufficient qualified persons to sit as jurors and that it is not therefore advisable to introduce the system of trial by jury in his district.
14) Replies from Shimoga and Kolar have not yet been received. Submitted with a draft reminder
15) Issue. Cag 15/10/21

9
14.10.21 no dt 2098-9 dt 18.10.21
MD 14/10
From
8 The Dt Magistrate Shimoga
Letter no D1 Dis 11/pdc dt 28.10.21
States that the scheme of introduction of the system of trial by jury may be postponed for the present.
16) Reply from Kolar is still due. Reply may be awaited for a fortnight more.
17) Yes. Cag 7.11.21

2.11.21
MD 2/11

From 2/11

G. R. S. III-2]

1907 6

General and Revenue Secretariat. | C.S. File No. 47 of 1921-2

Serial No.	
9	From The D.C. Magistrate Kolar Letter no D2 Dis 375 dt 11.11.1921 States that the introduction of the scheme is not possible owing to the paucity of capable men to serve as jurors
18)	All the District magistrates except Kadur and Tumkur are unfavourable for the introduction of the Scheme. The Kadur and Tumkur Dt. magistrates recommend that offences relating Property Chapter XVII of the Indian Penal code may be tried by jury. The Dt. magistrate Kadur recommends that 7 persons at a time may constitute a jury and the District magistrate Tumkur fixes the number at 3.
19)	Submitted for orders as to whether the freedom may not be deferred for some time 15.11.21
20)	All the Deputy Commrs except two, are not in favour of introducing the Scheme in their Districts. They apprehend that the people are not yet sufficiently advanced to accept the responsibility. Suitable men may not be available; and even in Bangalore & Mysore, the Judge & the

16/11/21.

Serial No.

jury have differed, and the procedure adopted has not been quite correct. It appears to be too early a stage, to introduce the system in other Districts, Gen Secy

cag 16.11.21

3rd member)

hm 17.11.21.

cag 17.11

2987 16.11.21

21) In Criminal cases the system may be extended with the sanction of the District Magistrate again the Karbari & Punchayet District Magistrate again - the system may be introduced into those districts as well as in his district & Shillong &c. After all, his cases which are tried by a jury are not of a very important nature. They are mostly cases of Murder by bad livelihood & robberies & dacoities by suppressing his powers in most of cases in which accused belonging to Criminal classes are concerned as they are in his classes of cases mentioned above. His jury seldom takes a lenient view of his case -

Lahi

22) Please submit this Dewan ji 29/11/21

DEWAN'S OFFICE.
Recd. on DEC 1 1921
Reg. No. 3075

NOTE—Contn. sheet.

Dewan)

23) Put up draft for submission to Govt

cag 1/12

24) We may take up Consult, with convenience, the Chief Commissioner's views in this case. Secy 1.12.21

G. R. S. III-2]

1907 405-2/9 8

General and Revenue Secretariat. | Cb File No. 47 of 1924-25

Serial No.	
25	Submitted with draft, duly as needed, for approval 26) 3rd member) Draft approved by Hon'ble Member in charge 17/12 Issued 20/12/24 Copy 15-12-24 Copy 3409 16/12/24 R 4-12-24 WD 15/12/24
10	To. The Registrar, Chief Court— No 9-2-957 dt 23-12-24 Forwards the letters from the Dist. Magistrates in the matter of introducing the system of trial by Jury and Calls for the opinion of the Judges in the matter From
11	The Regr. Judicial Court Letter no 91 Dis 112 of 21-2 dt 21-4-1922 States that the Judges are of opinion that the system may be introduced in the districts of for the present and such trial confined to offences against property under chapter XVII of the Indian Penal code.
27	Submitted with reference to para (23) above 27/6/22 (Asst. Secy) Copy 28/4
28)	The recommendation of the Chief. may perhaps

NOTE—Contn. sheet.

Serial No.

be appd. I think the Dist chapts are suddenly apprehensive about lacks of Competent men

11/5

cur 11.5

5634/22 5/22

2nd Members 29/ Suspend Papers. When men are available in Civil Service, I would depend to be selected but in deserving places like Shillong & Cherrapunji men will not be available & so I propose a panel. However the recommendation of Civil Court may be approved.

Hyde

30) Is this a Council subject? Under the rules it is the Governor in Council

Hyde

22/5/22

31) Though not specifically mentioned in the Schedule the question was treated as a Council case in 1917. May be treated as a Council case now and disposed of by Circulation

Dewan

32) I agree 2nd 23/5 cur 25/5 in Council

Hyde

25/5

DEWAN'S OFFICE.
Recd. on MAY 25 1922
Reg. No. 6608

NOTE—Contn. sheet.

33) Ch. Sec'y with Compliments

CS 31/5/22

34) Circulated 31/5.

(9a

(For Disposal at a Meeting)

No. C. 383

1921-22

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause xxvii of the Schedule).

Recommendation of the Chief Court for the extension of the system of Trial by Jury to the Kadur District.

35) CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

1st June 1922.

Chief Secretary to Government.

---

36) Extraordinary Member of Council. Jean Dyer 13.6.22.

7026-72. 4.6.22. First Member of Council. 37) Scrutiny 5.6.22

Second Member of Council. 38) 7/6

Third Member of Council.

Extract from the Proceedings of the 615th *Meeting of the Council of His Highness the Maharaja, held at Bangalore on the* 22nd June 1922. *19* .

10

---

540. Subject. - Clause xxvii of the schedule.

Recommendation of the Chief Court for the extension of the system of Trial by Jury, to the Kadur District.

OPINION OF THE COUNCIL.

39)

The Jury system may be extended to the Districts of Kadur and Tumkur, for the trial of the same classes of cases as in Bangalore and Mysore.

(Signed) A. R. BANERJI,
Dewan of Mysore.

"EXTRACT"

Chief Secretary to Government.

WD 433—GPB—1,000—1-9-20

C 583

11

General and Revenue Secretariat. | C/5 File No. 47 of 1924-2

Serial No.	
40)	Submitted with Extract of the Council Resolution.
	Second Member)
41)	D. J. M. Subd No. 2416
42)	D.P.W. Subd 24/6
43)	Final Note signed by the Member in person — No. 246
44)	D.S.N. Subd. Diwan) 24/6

Final Note by the Second Member of Council.

Subject:— Recommendation of the Chief Court for the extension of the system of trial by Jury to the Kadur District.

45) The system of trial by Jury was introduced in July 1917 in the Districts of Mysore and Bangalore tentatively for two years which period was subsequently extended by another two years. On the termination of this period, the Chief Court recommended the continuance of the system without any limit of time as well as its extension to the other Districts if the District Magistrates agreed to it. The former recommendation was sanctioned and as regards the latter, the District Magistrates were consulted. Their opinions have since been received. The District Magistrates of Tumkur and Kadur only are in favour of the introduction of this system, but the other District Magistrates are not in favour of it as they think that enough men competent to serve as Jurors are not available. With regard to the Tumkur District also the District Magistrate suggests a very limited application of the system on the same ground. In view of this opinion the Chief Court has now proposed the introduction of the system only in the Kadur District for the present.

46) 2. The matter was considered in Council and they are of opinion that " the Jury system may be extended to the Districts of Kadur and Tumkur, for trial of the same classes of cases as in Bangalore and Mysore"

Vide para 10 of office note

47) 3. The resolution of the Council may be approved and the system brought into force in these Districts from 1st September next.

24th June 1922
Bangalore.

Member of Council.

Submitted to His Highness.

48) *I submit herewith a Final Note by the* Second *Member of Council on the subject of* ~~xx~~ viz., recommendation of the Chief Court for the extension of the system of trial by Jury to the Kadur District, *for His Highness' gracious approval.*

Dewan.
27. 6. 22

(14

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Extension of the system of trial by Jury to the Districts of Kadur and Tumkur.

49) ***Order.***

~~KRMS~~

3/7/22

50) Enclosed 4

4 JUL 1922

4 ul

C583

G. R. S. III-2.]

4052/8

15

General and Revenue Secretariat. | File No. — of 1921-22

Serial No.

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretari s concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circutated to the Members of Council at headquarters and then sent to the Secretariat concerned for the issue of orders.

51) Circulated to the Members of Council for perusal of His Highness' orders ~~before~~ after issue of orders. (*Vide* Rules 31, 33 and 34 or the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Govt. 5.7.22

Through the Secretary to Government,

.....General.....Department. 5/7/22

52) Draft Please

5.5.5.18

17.7.22

FIRST MEMBER OF COUNCIL Seen 5.7.22

SECOND MEMBER OF COUNCIL Seen. 18/7/22

THIRD MEMBER OF COUNCIL.

NOTE.—Contn sheet.

4052

(16

(. R. S. III-2]

General and Revenue Secretariat. | File No. 47 of 19 22

Serial No. 53)

Subd with a draft. In the draft it is proposed to have a jury of 3 persons for Tumkur district instead of 7 as in Bangalore and Mysore districts in view of the fact that the District magistrate says that there is a paucity of competent men in his district. No new draft is proposed granting exemptions as on the previous occasion, as the persons then mentioned therein have been exempted from sitting as jurors.

54) Re the number of jurors for the Tumkur Dr, reference is invited to the Secretary Member's minute in para 29 of these notes, and views solicited if the number is to be 3 or 7.

55) In the draft, the number is 3 for Tumkur + 7 for Kadur, as there is a complaint of paucity of proper men in the former District.

56) The sections of the Indian Penal Code, detailed in the draft, are those which are now tried by a jury in Bangalore and Mysore (vide flag J.)

57) Draft may be appd

58) Secretary

In the Secretary Member's minute of 22-5-22, it is observed that in the District I believe that enough men could not be found as Jurors

Flag W

Flag J.

NOTE—Contn. sheet.

4052

7

4. R. S. III-2]

General and Revenue Secretariat. | File No. (7) of 1922.

Serial No.

It may not be safe & have 3 men only for the Jury in Tumkur. Perhaps it is best to follow the Bangalore & Mysore and Kadur practice & fix 7 for Tumkur also

287/11.7. (in second December)

10/7/22

Essy 11.7.22

59) The jury may consist of 5 persons only in both the districts.

Draft as suggested.

Sd/- 11/7

12.7.22

60) Issue the order

60 Then send the file to the Confidential Branch for circulation

Essy 12.7

ISSUE & RESUBMIT.

12

To

The Compiler, M.L.

P. 395 of 13.7.22

Notifies the extension of the system of trial by Jury to the Districts of Kadur and Tumkur for the trial of the same classes of Cases as in Bangalore & Mysore.

To. Copy of the above to the Registrar, Chief Ct.

NOTE—Contn. sheet.

G. R. S. III-2

General and Revenue Secretariat.

4052/7.

(18

A5 File No. 47 of 1921-2

Serial No.	
61)	Resubmitted with reference to para (60) above.
B/ 15.7.22	62/ To the Confidential Branch for circulation of the file.
	Circulation completed

JUDICIAL BRANCH
20 JUL 1922
JUDICIAL & REVENUE

B. 19/7

Records received (part) & returned to the Secretariat

19/7

3130

Rec 1262

DIARY No. 380

BANGALORE.

Dated 26th July 1921.

Cts 47-21-1

From

GEN & REV. SECT. 27 JUL 1921

The REGISTRAR of the

Chief Court of Mysore.

To

The ~~CHIEF~~ SECRETARY to the

Government of Mysore,

Revenue Department

Bangalore.

Sir,

Adverting to paragraph 2 of Government Order No.G. 1963/Cts. 233-18-3, dated 26th July 1919, calling for a report as to the working of the system of trial by jury and the opinion of the Judges in regard to the desirability of its further continuance, I am directed to submit the following remarks.

2. Since the introduction of the system in 1917-18 14 cases were tried in Bangalore and 15 in Mysore by Assistant Sessions Judges, and two in Bangalore and 3 in Mysore by Sessions Judges: the reason is of course that the offences triable by jury, principally thefts and housebreakings by old offenders, with an occasional dacoity, are punishable by Assistant Sessions Judges, and can be transferred for trial to them while the Sessions Judges cannot transfer cases of murder which ~~fum~~ form the bulk of the work coming before them, and are not tried by jury.

3. It is perhaps to be regretted that the more experienced class of Judges have to leave most of the jury trials to the junior ~~branch~~ branch, but it is quite impossible for the Sessions Judges to take more criminal

trials than they do now.

4. The Assistant Sessions Judge of Bangalore found it necessary to refer under section 307, three cases in which he differed from the Jury, but in only one case was the verdict set aside by the Chief Court. The Assistant Sessions Judge of Mysore made a reference against the verdict in one case only.

5. The Sessions Judge of Mysore referred two out of the three cases tried by him, but the verdict was set aside only in one of them.

6. No special juries were empanelled in any of the courts: apparently there were no cases calling for special treatment.

7. The workings up of the Judges have in some cases shewed traces of their unfamiliarity with the jury system, but are improving with experience. The reports are to the effect that the system is working satisfactorily and the Judges of the Chief Court think that it may be continued without limit of time in the Districts in which it is now in force, and extended to other Districts if the District Magistrates think it desirable, they would not at present recommend its extension to fresh classes of offences.

8. The delay in making the report, it is regretted, was due to the non-receipt of the reports from the Sessions Judges earlier than now.

I have the honour to be,
Sir,
Your most obedient servant,

Dy. REGISTRAR.

G.R.S. 28]

File No. 47-4
Serial No. 2

Diary No. of letter replied to 380

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
( )

, *the* 191 .

Date of issue 4/8

Signed by

READ—

G.O. no 4 1963/ cb 233-18-3 dt 26.7.19 sanctioning the continuance of the system of trial by jury in certain classes of cases in the two sessions Divisions of Bangalore and Mysore, sanctioned in ~~ORDER THEREON.—No. Govt. Notn. no 3996/cb 200-16-7 dt 9.5.1917~~ and calling for a report as to the desirability of its further continuance.

2. Letter no 1262 dt 26.7.1921 from the Registrar, Judicial Court,

over.

SUBJECT.

GPB—50,000—1-12-12

22

stating that the judges of are of opinion that the system may be continued in the two sessions divisions now sanctioned for the classes of cases now in force without any limit of time and ~~accepts~~ extended to other Districts if the District Magistrates ~~think~~ consider it desirable.

order. J 838 21

Govt are pleased to direct that the system of trial by Jury be continued (until further orders) in the two Sessions Divisions of Bangalore and Mysore for the classes of cases specified in Notn no J 3996/Cts 200-16-7 dt 9.5.1917. ~~until otherwise ordered~~.

9.8.21

Rowley

Dy 8/8

To

The Registrar Sehry Const. Courts & C.L.

29/7/21

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to 180

Section C5
File No. 47-21
Serial No. 3

General and Revenue Secretariat

( )

the *191* .

No.

To

The District Magistrates of

Districts other than Bangalore & Mysore

Date of issue 30/8/21

Signed by

Sir,

I am directed to state ~~that~~ ~~Government are of opinion~~ that the system of trial by jury in Lescens cases ~~Cannot~~ introduced ~~in all~~ into the Districts of Bangalore & Mysore ~~other than Bangalore~~ as it has been working ~~satisfactorily~~ and it is ~~Government~~ ~~desirable~~ that the time has arrived ~~for~~ ~~Bangalore and Mysore Districts~~ and ~~Government~~ to introduce the system into the other Districts as well. I am therefore to request You to kindly ~~forward~~ favour ~~Government~~ with Your opinion as to ~~proposed introduction~~ whether the system

over.

G.R.S. III—3]

Routine Notes

REVENUE & JUDICIAL SECRETARIAT
6 SEP 1921
LOCAL SELF-GOVT. BRANCH.

DIARY No 10187

191

From C.Venkata Rao Esquire B.A.,
District Magistrate,
C H I T A L D R U G

To B.Ramaswamaiya Esq B.A.,B.L.,
Secretary to Government,
Revenue Department, Bangalore.

PROTECTION BRANCH.
7 SEP 1921

Dated

Despatched 3rd September 1921.

GEN & REV. SEC.

Received

General No. 15 / Rev. 2 SEP 1921

No.

Enclosure No.

Sir,

Adverting to your letter No. J.1202-7/Cts.47-21-3 dated 30th ultimo calling for opinion as to whether the system of trial by jury in sessions cases may be introduced into this District, I have the honor to state that this District is backward in education

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

DIARY No. 1195 27

Office of the District Magistrate,

Tumkur District, ಕ್ರ 44-21-5

Dated Tumkur, the 17th September 1921

From

Ananda Rao S.Sirsi, Esquire, B.A., LL.B.,

District Magistrate, Tumkur District,

T U M K U R.

To

D.Sreenivasa Iyengar, Esquire, B.A.,

Secretary to the Government of His Highness the

Maharaja of Mysore, Revenue Department,

B A N G A L O R E.

S i r

With reference to your letter No.J.1232-7/Cts.47-21-8 dated the 30th August 1921, calling for my opinion in the matter of introducing, into this District, the system of trialk by jury in Sessions cases, I have the honour to state that the jury system may be extended to this District also; but, as the number of men with sufficient knowledge of law to serve as jurors, is very limited, I think it desirable to have three men to constitue a jury at a time and to restrict the classes of offences for which trial by jury can be held, to less heinous ones-relating to property only, excluding altogether from ~~the~~ also purview, the offences noted in the margin*.

I have the honour to be,

sir,

your most obedient servant,

District Magistrate,
Tumkur District.

*

1. Offences under chapter V1 and V11 of the Indian Penal Code.
2. Murder-sections: 302-308 I.P.C
3. Rape. Section 376 I.P.C
4. Kidnapping Sections: 363-372. I.P.C

1092

1921-22

From

The District Magistrate,

Tumkur District.

To

The Revenue Secretary to Government of Mysore, BANGALORE.

Dated the 17th September 1921.

Despatched 17 - 9 - 1921

Received

General No.

No.

Enclosure No.

Regarding the introduction of the system of trial by jury in Sessions Cases, into Tumkur Dt.

****

Office of the District Magistrate,
Kadur District.

Chikmagalur, Dated 29th September 1921.

1372
9

From

K. MYLAR RAO, Esq., B.A., B.L.,
DISTRICT MAGISTRATE,
KADUR DISTRICT.

47-21
6

To

B. RAMASWAMAIYA, Esq., B.A., B.L.,
~~CHIEF~~ SECRETARY TO THE GOVERNMENT OF
HIS HIGHNESS THE MAHARAJA OF MYSORE,
GENERAL DEPARTMENT,
BANGALORE.

SIR,

With reference to your letter No.J.1232-7/Cts. 47-21-3 dated the 30th August 1921 calling for my opinion as to whether the system of trial by jury in Sessions -- cases may be introduced into the Kadur District and if so to state the classes of offences for which trial by jury can be held and the number of men to constitute a jury at a time, I have the honour to state that the system of trial by jury in Sessions Cases may be introduced into this District. The offences for which trial by jury can be held are detailed in the enclosed list. The number of gentlemen to constitute a jury at a time may be fixed at seven

I have the honour to be,
Sir,
Your most obedient servant,
K Mylarrao
DISTRICT MAGISTRATE,
Kadur District.

1335

19

From

The District Magistrate,

Kadur District.

To

The ~~Chief~~ Secretary to

the Government of His Highness

the Maharaja of Mysore,

General Department

BANGALORE

Dated 29th September 1922

Despatched — " —

Received

General No. D 2 Dis 76/21-22

No.

Enclosure No. One

SUBJECT

States that the system of trial by jury in Sessions cases may be introduced into the Kadur District

KADUR DISTRICT. Ext. 5516 29

=====

Classes of offences for which trial by jury can be held are those made punishable under

sections 379 380 381 382 384 385 386
387 388 389 392 393 394 395
397 398 399 400 401 402 411
412 414 429 430 431 432 433
435 436 437 438 439 440 449
450 451 452 454 455 456 457
458 459 460 and 462 of the Indian Penal code.

2. The trial of these offences and abetments and -- attempts to commit them, shall if the presiding Judge so direct be by jurors summoned from a special jury list.

=========

H Nuglanda Rao.

Chikmagalur,
29th September 1921.

District Magistrate,
Kadur District.

D.S.R.

DIARY No. 1530 /30

1921

C.J.D.M. No. C-1805

Office of the District Magistrate,
Hassan District,
Dated Camp Mysore, 10th Oct. 21.

From

B.Venkoba Rao, Esq., B.A.,
District Magistrate,
Hassan Dist...

To

B. Ramaswamaiya, Esq., B.A.,B.L.,
General Secretary to Government of Mysore,
Bangalore.

Sir,

Adverting to your letter No.J.1332-7 Cts.47-21-3 dated 30-8-1921 calling for my opinion in the matter of introducing the system of trial by jury in Sessions Cases, I have the honour to state that as there are not enough men among the public of Hassan who have sufficient knowledge or qualification for sitting as jurors, it appears to me not advisable to introduce the system into this District.

I have the honour to be,
Sir,
Your most obedient servant,

B. Venkoba Rao

DISTRICT MAGISTRATE,
Hassan District.

17.66
9.
(81

Office of the District Magistrate,
Shimoga District,
Dated Shimoga, 29th October 1921.

No:D1.Dis.11/Judl.21-22.

From

G. Aravamudu Iyengar, Esqr., B.A., B.L.,
District Magistrate,
Shimoga District.

To

B. Ramaswamaiya, Esquire., B.A., B.L.,
Secretary to Government, General Department,
B a n g a l o r e .

Sir,

With reference to your letter No:J.1232-7/Cts.47-21-3 dated 30th August 1921 calling for my opinion as to whether the system of trial by Jury in Sessions cases may be introduced into this District, and if so to state the classes of offences for which trial by Jury can be held and the number of men to constitute a Jury at a time, I have the honor to state that there is a paucity of private gentlemen unconnected with the legal profession of sufficient standin and education who can be depended upon to form a panel for the choice of the ~~Jurors~~ Jurors. In the circumstances it seems to me to be advisable to postpone the introduction for some time longer. There is so far no local public opinion on the subject.

I have the honor to be,
Sir,
Your most obedient servant,

District Magistrate,
Shimoga District.

SGR.

13977

191 21-22.

From

The District Magistrate,

Shimoga District.

To The Secretary to Government,

General Department, Bangalore

Dated 29th October 1921.
Despatched 2nd November 1921.

Received

General No. C.1.Dis.11/Judl.21-22.
No.

Enclosure No. - NIL

Furnishes opinion as to the introduction of the system of trial by Jury in Sessions trials, into this district

1907
9
132

Office of the District Magistrate, Kolar District.

Dated Kolar, the 10th November 1921.

W2 Dis 375/21-22 4 Cts 47-21-9

From

Md. Zahiruddin Mecci, Esq., B.A.

District Magistrate. Kolar District.

To

B. Ramaswamaiya, Esquire, B.A., B.L.,

Secretary to the Government of His

Highness the Maharaja of Mysore,

General Department, Bangalore.

Sir,

With reference to your letter No: J.1232-7/Cts.47-21-3, dated the 30th August 1921, calling for my opinion as to whether the system of trial by jury in Sessions cases may be introduced into this District &c., I have the honor to state that the introduction of the scheme into this District is not possible at present as capable men to serve on the Jury cannot be had in Kolar.

I have the honor to be,

Sir

Your most obedient servant,

R Mallappa 11/11

Treasury Assistant Commissioner,

For District Magistrate,

Kolar District.

(absent from station.)

14971

From

The District Magistrate,
Kolar District.

To

The Secretary to Government of
General Department, Bangalore.

Dated the 10th November 1921.

Despatched

Received

General No.

No.

Enclosure No.

Furnishing opinion in the matter of
the introduction of the system of trial
by Jury.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to 1907

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 23-12-21

Signed by Sm C L Ghani

Letter no 2015 dt 3-9-1921 from the D magistrate Chittaldrug

— — 61 dt 17.9.21 — — Tumkur Dt

— — 76 dt 29.9.21 — — Kadur Dt

C. 1805 dt 11.10.21 — —

— — 11 dt 29.10.21 — Hassan

— — 375 dt 11.11.21 — — Shimoga Dt Kolar

Section

File No. 47-21

Serial No 10

No. 2957/Ests 6

To

The Registrar Chief Court

Sir,

I am directed to forward herewith the ~~copies of~~ marginally noted letters (both kinds returned with the reply) from the district magistrates of Districts noted against each, re the matter of the introduction of the system of trial by jury in their respective districts. In this connection I am to invite your attention to your letter no Ror 1262 dt 26.7.1921 stating that the system could

over.

8/29/21

introduced into the Districts when the District magistrates agree. The District magistrate of Tumkur and Kadur are agreeable. ~~[illegible]~~ all cases depend that the system may with advantage be introduced in Tumkur, Kadur and Shimoga districts as the cases which are now tried by the jury are mostly cases of theft by old headers and robberies and dacoities. I am to request you to kindly place the matter before the judges of the Chief Court and forward their opinion in the matter together with the class of cases that may be left to the jury in case they are in favour of introducing the system in the districts referred to above

I have &c

for Secretary

List of enclosures.

Copied by

Examined by

D. Dis. 112 of 21-22 Encl

CS 47-21-11
4082

35

51255

CHIEF COURT OF MYSORE,

Bangalore. dated 21st April 1922.

From

G. Sreenivasa Iyer. Esqr.. B.A.,M.L.

Registrar of the Chief Court of Mysore,

B a n g a l o r e.

GEN & REV. SEC.
25 APR 1922

To

S. Hiriannaiya, Esqr., M.A., B.L.,

Secretary to the Government of Mysore,

General Department, Bangalore

26 APR 1922
JUDICIAL BRANCH.

S i r,

Adverting to your letter No.2957/Cts.47-21-10 dated 23rd December 1921 requesting the opinion of the Judges of the Chief Court in the matter of the introduction of the system of trial by Jury in Tumkur, Kadur and Shimoga Districts, I am directed to state that the Judges are of opinion that the system may be extended, for the present, to the Kadur District and such trial confined to offences against property under Chapter XVII of the Indian Penal Code, as suggested by the District Magistrate of Kadur and that they are not in favour of introducing the system in Tumkur and Shimoga Districts owing to the dearth of qualified men to serve as jurors, as reported by the District Magistrates.

The enclosures received with your letter under reference are herewith returned.

I have the honour to be,

S i r,

Your most obedient servant,

REGISTRAR

(36

G. R. S. VI—(1/33)

SUBJECT.....

.....

.....

Diary No. of letter replied to 4052

Section

File No. 47-21

Serial No. 1/21

General and Revenue Secretariat

( )

, the 191 .

Notification

Date of issue 13-7-22

Signed by Mr. B.V.

In exercise of the power conferred by sections 269 and 274 of the Code of Criminal Procedure 1908, the Govt of His Highness the Maharaja are pleased to direct that from and after the 1st day of September 1922 the trial before the Courts of Sessions of Bangalore and Shimoga Circles Divs of the Districts of Kadur and Hassan of the offences hereunder set forth and of all abetments of and attempts to commit those offences or any of them, shall in the districts of Tumkur and

over.

vide Draft-facial note

12/7

5)

and Kadus be by a jury consisting of three and seven persons respectively

The offences may be punishable by Sections 379, 380, 381, 382, 384, 385, 386, 387, 388, 389, 392, 393, 394, 395, 397, 398, 399, 400, 401, 402, 411, 412, 414, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461 and 462 of the Indian Penal Code.

10/7/22

2. The trial of these offences and of abetments and attempts to commit them shall, if the presiding judge so directs, be by persons summoned from a special jury list.

By order

10/7/22

General Secy

List of enclosures.

Copied by

Examined by

To

The Compiler Mysore gazette for publication with a request that 100 spare copies of the notification may be sent to this office.

Copy to Regr. High Court under a Covering letter

GENERAL SECRETARIAT.

No. P. 395—*Cts.* 47-21-12, *dated* 13*th July* 1922.

In exercise of the power conferred by Sections 269 and 274 of the Code of Criminal Procedure, 1904, the Government of His Highness the Maharaja are pleased to direct that, from and after the 1st day of September 1922, the trial before the Courts of Session of the Bangalore and Shimoga Sessions Divisions, of the offences hereunder set forth and of all abetments of and attempts to commit those offences or any of them, shall in the Districts of Tumkur and Kadur be by a Jury consisting of five persons.

The offences made punishable by Sections 379, 380, 381, 382, 384, 385, 386, 387, 388, 389, 392, 393, 394, 395, 397, 398, 399, 400, 401, 402, 411, 412, 414, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 447. 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461 and 462 of the Indian Penal Code.

2. The trial of these offences and of abetments and attempts to commit them shall, if the presiding Judge so directs, be by jurors summoned from a special jury list.

By Order,

B. VENKOBA RAO,

Secretary to Government,

General Department.